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8 **BEFORE THE**
9 **MEDICAL BOARD OF CALIFORNIA**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 800-2019-061706

13 **BRUCE MARTIN HENSEL, M.D.**
14 **c/o The Management Group**
15 **8383 Wilshire Blvd., Suite 400**
16 **Beverly Hills, CA 90211**

A C C U S A T I O N

15 **Physician's and Surgeon's Certificate**
16 **No. G 42090,**

17 Respondent.

18
19 **PARTIES**

20 1. William Prasifka (Complainant) brings this Accusation solely in his official capacity
21 as the Executive Director of the Medical Board of California, Department of Consumer Affairs
22 (Board).

23 2. On or about June 24, 1980, the Board issued Physician's and Surgeon's Certificate
24 Number G 42090 to Bruce Martin Hensel, M.D. (Respondent). The Physician's and Surgeon's
25 Certificate was in full force and effect at all times relevant to the charges brought herein and will
26 expire on May 31, 2022, unless renewed.

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1 **JURISDICTION**

2 3. This Accusation is brought before the Board, under the authority of the following
3 laws. All section references are to the Business and Professions Code (Code) unless otherwise
4 indicated.

5 4. Section 2227 of the Code provides that a licensee who is found guilty under the
6 Medical Practice Act may have his or her license revoked, suspended for a period not to exceed
7 one year, placed on probation and required to pay the costs of probation monitoring, or such other
8 action taken in relation to discipline as the Board deems proper.

9 5. Section 2234 of the Code, states:

10 The board shall take action against any licensee who is charged with
11 unprofessional conduct. In addition to other provisions of this article, unprofessional
conduct includes, but is not limited to, the following:

12 (a) Violating or attempting to violate, directly or indirectly, assisting in or
13 abetting the violation of, or conspiring to violate any provision of this chapter.

14 ...

15 (e) The commission of any act involving dishonesty or corruption which is
16 substantially related to the qualifications, functions, or duties of a physician and
surgeon.

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18 6. California Code of Regulations, title 16, section 1360, subdivision (a), states:

19 For the purposes of denial, suspension or revocation of a license pursuant to
20 Section 141 or Division 1.5 (commencing with Section 475) of the code, a crime,
21 professional misconduct, or act shall be considered to be substantially related to the
22 qualifications, functions or duties of a person holding a license if to a substantial
23 degree it evidences present or potential unfitness of a person holding a license to
24 perform the functions authorized by the license in a manner consistent with the public
25 health, safety or welfare. Such crimes, professional misconduct, or acts shall include
but not be limited to the following: Violating or attempting to violate, directly or
indirectly, or assisting in or abetting the violation of, or conspiring to violate any
provision of state or federal law governing the applicant's or licensee's professional
practice.

26 **COST RECOVERY**

27 7. Section 125.3 of the Code states:

28 (a) Except as otherwise provided by law, in any order issued in resolution of a

1 disciplinary proceeding before any board within the department or before the
2 Osteopathic Medical Board, upon request of the entity bringing the proceeding, the
3 administrative law judge may direct a licensee found to have committed a violation or
4 violations of the licensing act to pay a sum not to exceed the reasonable costs of the
5 investigation and enforcement of the case.

6 (b) In the case of a disciplined licensee that is a corporation or a partnership, the
7 order may be made against the licensed corporate entity or licensed partnership.

8 (c) A certified copy of the actual costs, or a good faith estimate of costs where
9 actual costs are not available, signed by the entity bringing the proceeding or its
10 designated representative shall be prima facie evidence of reasonable costs of
11 investigation and prosecution of the case. The costs shall include the amount of
12 investigative and enforcement costs up to the date of the hearing, including, but not
13 limited to, charges imposed by the Attorney General.

14 (d) The administrative law judge shall make a proposed finding of the amount
15 of reasonable costs of investigation and prosecution of the case when requested
16 pursuant to subdivision (a). The finding of the administrative law judge with regard
17 to costs shall not be reviewable by the board to increase the cost award. The board
18 may reduce or eliminate the cost award, or remand to the administrative law judge if
19 the proposed decision fails to make a finding on costs requested pursuant to
20 subdivision (a).

21 (e) If an order for recovery of costs is made and timely payment is not made as
22 directed in the board's decision, the board may enforce the order for repayment in any
23 appropriate court. This right of enforcement shall be in addition to any other rights
24 the board may have as to any licensee to pay costs.

25 (f) In any action for recovery of costs, proof of the board's decision shall be
26 conclusive proof of the validity of the order of payment and the terms for payment.

27 (g) (1) Except as provided in paragraph (2), the board shall not renew or
28 reinstate the license of any licensee who has failed to pay all of the costs ordered
under this section.

(2) Notwithstanding paragraph (1), the board may, in its discretion,
conditionally renew or reinstate for a maximum of one year the license of any
licensee who demonstrates financial hardship and who enters into a formal agreement
with the board to reimburse the board within that one-year period for the unpaid
costs.

(h) All costs recovered under this section shall be considered a reimbursement
for costs incurred and shall be deposited in the fund of the board recovering the costs
to be available upon appropriation by the Legislature.

(i) Nothing in this section shall preclude a board from including the recovery of
the costs of investigation and enforcement of a case in any stipulated settlement.

(j) This section does not apply to any board if a specific statutory provision in
that board's licensing act provides for recovery of costs in an administrative
disciplinary proceeding.

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FACTUAL ALLEGATIONS

8. Respondent is board-certified in internal medical and emergency medicine. During the relevant time period, he was in private practice in Beverly Hills, California.

9. Respondent was the chief medical correspondent at KNBC for nearly thirty (30) years. Respondent regularly appeared on the evening news in his segment "Ask Dr. Bruce." Respondent won numerous Emmy Awards in connection with his television work.

10. Commencing in February 2019, Respondent began sending private messages to a 9-year old girl, the Victim,¹ on a phone application called WeChat. Prior to that time, Respondent had been communicating with the Victim and her parents regarding casting opportunities for the Victim.

11. On February 19, 2019, Respondent sent the Victim three private messages, identifying himself by name, and asking the Victim to call him. The following day, the Victim added Respondent to her WeChat contacts.

12. On February 23, 2019, Respondent wrote the Victim, "Let's have a secret conversation about acting... You will be a star."

13. On April 4, 2019, Respondent sent the Victim a private message stating, "I'm sorry. I wanted to give you an acting role honey. Send me some good pictures for the producers." In response, on April 12, 2019, the Victim sent Respondent several photographs of herself.

14. In response to the photographs the Victim sent, on April 14, 2019, Respondent wrote the Victim, "Hi honey unfortunately it is or not old or innocent sexy enough. Usually on 12 year olds can play that, but don't worry in a two years u will be perfect still have that room now and don't worry just between you and me."

15. On April 19, 2019, the Victim responded that the pictures were from her Wushu competition.² She is fully clothed in all of the photographs.

¹ The identity of the minor victim at-issue in this charging document is withheld herein to address privacy concerns. The minor's identity is known to Respondent and will be further disclosed during discovery.

² Wushu is a martial art similar to Kungfu. See, [https://en.wikipedia.org/wiki/Wushu_\(sport\)](https://en.wikipedia.org/wiki/Wushu_(sport)).

1 16. On May 8 and 9, 2019, Respondent replied to the Victim's photographs, "Not enough
2 for teen though...Has to be sexy...Ok?...Decide."

3 17. After the Victim did not respond to Respondent for approximately two weeks, on
4 May 30, 2019, Respondent messaged her again, "Do u message?" When the Victim again did not
5 respond, Respondent messaged her again approximately two and a half weeks later, "U guys
6 home?"

7 18. On July 17, 2019, Respondent messaged the Victim, "Hey so sorry you're not
8 working on my movie you would I had a great party... But it was probably too old and sexy
9 anyway."

10 19. After he received no response from the Victim, on July 21, 2019, he messaged her
11 again: "Why don't you write back? Scared?" The Victim replied that she was "really busy with
12 ballet." A minute later, Respondent wrote her, "Great. I would love to put you in the movie.
13 You can come see it. But your mom might think it's too sexy." The Victim responded, "Oh ok."
14 Respondent then replied, "What do you think. I don't want her to know I asked but what do you
15 think? It's okay to be honest." The Victim replied, "I say yes." Respondent then messaged her,
16 "So you think you can do it. Know[ing] a boy and being sexy. Not big sex. Just soft sexy. I
17 don't want to upset your mother but I know you and trust you and like you. I think you are
18 special. I know you think that about our friendship...Tell me hi neatly what you think. It is
19 saf[e]. Can be secret." The Victim responded, "Ok I'll talk to you later I'm going to the beach."
20 Respondent then quickly messaged her to send him pictures from the beach that he could show to
21 the "director." He also promised her a Screen Actors Guild card. Respondent messaged her,
22 "You are very special and your mother trusts me and I have always been good special friends and
23 you feel safe with me so I will protect you and get you something they could maybe make you a
24 star if you are willing to take some risks." He instructs the Victim to write him that night when
25 she gets home because "we start shooting the movie tomorrow." That evening, Respondent
26 continued to send the Victim message after message about the movie scheduled to shoot the next
27 day and the famous actors that would be in it. Between 5:03 p.m. and 9:16 p.m. on July 21, 2019,
28 Respondent sent the Victim twenty (20) messages in a row without receiving any reply.

1 20. The next day, on July 22, 2019, Respondent continued to text the Victim. He wrote
2 her, "You mom take too long." The Victim responded, apologizing that she was at ballet. He
3 replied that he wanted to give her a role in the movie.

4 21. Respondent continued message the Victim, making promises of a role in a movie and
5 then blaming her and her mother for not responding quickly enough and concluding that the role
6 might have been "too sexy" for her anyway.

7 22. When on August 4, 2019, the Victim responded, "Yeah I guess I wouldn't be sexy
8 enough anyways," Respondent wrote her, "Yes you are. It's not really sexy just flirting. But
9 maybe dangerous. But getting into the acting union is difficult and this could have done it for
10 you." When the Victim responded that she would tell her mother to message Respondent, he
11 wrote the Victim that he does not want her mother to "be upset about the sexy part" and that it is a
12 "good idea just keep between us." He then asked her to send him photographs of herself to "show
13 the producers."

14 23. On August 4, 2019, the Victim sent Respondent several photographs of herself. In
15 the photos, she is clothed, outdoors and/or with other people. Respondent replied, "They would
16 have to be sexy and private only if you are okay with it." The Victim wrote him, "I don't really
17 have any sexy stuff though."

18 24. Respondent then suggested she take "selfie's" and send them to him. He instructed
19 her not to be uncomfortable, that they are good friends and to keep it a secret.

20 25. The Victim then asked Respondent how to take the selfies and he wrote her, "it would
21 have to be in bedroom or underwear or less." The Victim responded, "Underwear?!?!"

22 26. The Victim then messaged Respondent, "Hold on let me get naked," to which he
23 immediately responded, "Ok. Great But private. Just between me and you... If you are going to
24 get naked for this maybe we should erase the notes here and do it in email or we can start here up
25 to you."

26 27. The Victim then asked Respondent, "Full body or just my head." Respondent
27 instructed her, "Full," and again promised to keep the photographs "private."

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1 28. The Victim struggled to take a full body selfie and asked Respondent for help. He
2 wrote her to use a "timer or mirror." The Victim did not know how to use a "timer" and
3 Respondent instructed her on how to use the app: "Well some phones let you time the picture and
4 you put the phone on the desk or near the sink and take a picture in 10 seconds or try the
5 bathroom... Or just lower body."

6 29. The Victim sent him several photographs. In response, Respondent wrote her she
7 "would have to go a little further if you're comfortable."

8 30. On or about August 4, 2019, the Victim sent Respondent several nude photos of
9 herself.

10 31. That same night, the Victim's step-father discovered the messages and photographs
11 exchanged between Respondent and the Victim.

12 32. The Victim informed Respondent that her step-father went through her phone.
13 Respondent instructed her to "delete all messages please."

14 33. The next day the Victim's step-father contacted the police and provided them with the
15 messages and photographs exchanged between Respondent and his step-daughter.

16 34. The police were able to trace the messages to an account registered to Respondent.

17 35. On or about November 13, 2019, a Felony Complaint was filed against Respondent in
18 *The People of the State of California v. Bruce Martin Hensel*, Case No. BA482562, Los Angeles
19 Superior Court. The Felony Complaint alleges that on or about August 4, 2019, Respondent, in
20 violation of Penal Code section 288.3(a), unlawfully contacted and communicated with a minor
21 with the intent to commit a sexual offense involving that minor.

22 **FIRST CAUSE FOR DISCIPLINE**

23 **(Dishonest and Corrupt Acts)**

24 36. Respondent Bruce Martin Hensel, M.D. is subject to disciplinary action under Code
25 section 2234, subdivision (e), in that he committed dishonest and corrupt acts substantially related
26 to the qualifications, functions, or duties of a physician and surgeon in his conduct with the
27 Victim. The circumstances are as follows:

28 37. Paragraphs 8 through 35 herein are incorporated by reference as if fully set forth.

1 38. More specifically, Respondent used his position of power and influence, gained as a
2 result of his status as a physician television personality, specifically as the chief medical
3 consultant for KNBC and in appearances on "Ask Dr. Bruce," to lure the Victim's family into
4 allowing him access to their 9-year-old daughter. Under the guise of helping the Victim in her
5 acting career, Respondent used his position of influence to sexually exploit her. Respondent
6 methodically groomed her for months, slowly escalating his requests for "sexy" photographs of
7 her. Ultimately, on August 4, 2019, Respondent told the Victim that he wanted her to send him
8 photographs of herself in the "bedroom or underwear or less." Once the Victim agreed to
9 undress, Respondent walked her through how to take nude photographs of herself, suggesting she
10 use a timer or mirror. Throughout their entire exchange, Respondent repeatedly sought
11 assurances that she was keeping their communications a secret from her parents, while assuring
12 her that he is her "good friend" and that her "mother trusts [him]."

13 39. Respondent's acts and/or omissions as set forth in paragraphs 37 and 38, inclusive
14 above, whether proven individually, jointly, or in any combination thereof, constitute dishonest
15 and corrupt acts substantially related to the qualifications, functions, or duties of a physician and
16 surgeon pursuant to Code section 2234, subdivision (e). As such, cause for discipline exists.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

19 40. Respondent Bruce Martin Hensel, M.D. is subject to disciplinary action under Code
20 section 2234 in that he committed unprofessional conduct in his conduct with Victim 1. The
21 circumstances are as follows:

22 41. Paragraphs 8 through 35 and 38 herein are incorporated by reference as if fully set
23 forth.

24 42. Respondent's acts and/or omissions as set forth in paragraph 41, inclusive above,
25 whether proven individually, jointly, or in any combination thereof, constitute unprofessional
26 conduct pursuant to Code section 2234. As such, cause for discipline exists.

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1 **DISCIPLINARY CONSIDERATIONS**

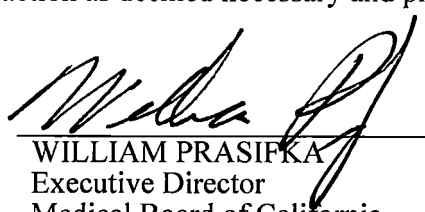
2 43. Complainant further alleges that on July 20, 2020, in *The People of the State of*
3 *California v. Bruce Martin Hensel*, Case No. BA482562, Los Angeles Superior Court,
4 Respondent's medical license was restricted pursuant to a Court Order issued under Penal Code,
5 section 23. Specifically, as a condition of bail and while the criminal case against him is pending,
6 Respondent shall not "practice medicine on minors," "opine about pediatric health," and "be in
7 [the] presence of minors without written guardian approval." At the time of the filing of this
8 Accusation, that Court Order remains in place.

9 **PRAYER**

10 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
11 and that following the hearing, the Medical Board of California issue a decision:

- 12 1. Revoking or suspending Physician's and Surgeon's Certificate Number G 42090,
13 issued to Respondent Bruce Martin Hensel, M.D.;
- 14 2. Revoking, suspending or denying approval of Respondent Bruce Martin Hensel,
15 M.D.'s authority to supervise physician assistants and advanced practice nurses;
- 16 3. Ordering Respondent Bruce Martin Hensel, M.D., to pay the Board the costs of the
17 investigation and enforcement of this case, and if placed on probation, the costs of probation
18 monitoring; and
- 19 4. Taking such other and further action as deemed necessary and proper.

20
21 DATED: **MAR 24 2022**

22 
23 WILLIAM PRASIFKA
24 Executive Director
25 Medical Board of California
26 Department of Consumer Affairs
27 State of California
28 Complainant

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